

Meeting Minutes
Tuesday, July 29, 2020
Meeting via Zoom

Members Present: Senator Whitney Westerfield, Co-Chair; Justice Mary Noble, Secretary, Justice and Public Safety Cabinet, Commissioner LaShana Harris, Department of Juvenile Justice (DJJ), Laurie Dudgeon, Director, Administrative Office of the Courts, Mr. Steven Gold, Damon Preston, Director, Department of Public Advocacy; Elizabeth Caywood for Commissioner Eric Clark, CHFS Department for Community Based Services, Christina Weeter, Kentucky Department of Education and Lindsey Adams for Judge Lisa Jones, Chief District Judge, and Dr. John Sivley, Behavioral Health Service Provider.

Members Absent: Representative Jason Petrie, Co-Chair, Commissioner Wendy Morris, Behavior Health, Development and Intellectual Disabilities, and Lt. Phil Russell, Louisville Police Office.

I. Welcome/Call to Order

Senator Westerfield welcomed everyone to the JJOC meeting via Zoom. He accepted a motion from Steve Gold and seconded by Dr. John Sivley to approve the minutes from the August 29, 2019, meeting. Christina Weeter, Kentucky DOE wanted the changes to the minutes to be approved. Those changes were emailed to members in a separate email. Those changes were approved. There was no other discussion on the minutes original or amended. Forty (40) participants were in attendance.

Senator Westerfield welcomed Commissioner LaShana Harris who began her presentation highlighting the Vision of DJJ for 2020.

Commissioner Harris's PowerPoint had been emailed to board members prior to the meeting.

During the Commissioner's overview.

Senator Westerfield asked Commissioner Harris if she had the racial breakdown on youth who received the alternative to detention. Commissioner Harris told Senator Westerfield she would provide that information to him and the board.

Commissioner Harris spoke on the issue of gathering data with regard to Senate Bill 200, and her plans to enhance those efforts to better track youth and the services they are receiving.

Damon Preston addressed the Jefferson County Detention Center. He said that when the Detention Center began shutting down and a plan was being developed; prior DJJ Commissioners had hoped level of detentions would be made to reduce the number of youth being housed at elsewhere. He asked what the level of detention the Jefferson County population now compared to when that facility was shut down and what is the racial breakdown of the kids being detained in Jefferson County?

Commissioner Harris said currently the center is off-line due to COVID. We had a positive staff member test positive. Currently we 23 Jefferson County youth placed in other facilities throughout the state, 6 at Adair, 6 at Boyd, 6 at Breathitt, 1 in Campbell and 4 at Warren. Generally, when the detention center is open we range between four and 10 kids there. Commissioner said this issue was definitely on her radar. She spoke about the seven kids who had been murdered in Jefferson County either that were on community probation or that had transitioned off community probation a week before they became a homicide statistic. We have had five youth who were injured by gunshot wounds and two of those youths are paralyzed. The gang situation in Louisville is very much a concern for us and placing those youths based on their co-defendant status and their gang affiliation, placing some of those kids out of county is good because it helps create a safe environment.

Commissioner Harris went on to say that when JCYC was open, the average population of that facility was 60-70 kids. Since the facility has come over to DJJ, and we have instituted those alternatives to detention in Jefferson County that number has dropped significantly and our average number at JCYC has been between 25-30.

Commissioner Harris spoke on the difficulties of maintaining the facilities during COVID at the same time providing youth with everything they need. She spoke about suspending outside services, limiting the transfer of youth between facilities, COVID testing and screening and sanitation.

Damon Preston asked the Commissioner during the past few months, it is clear that the number of kids in detention has gone down but there are still 108 in June. Some youth have been placed pre-adjudication and now that courts are suspended and court dates postponed, what is being done for the kids' mental health?

Commissioner Harris said mental health was also a concern for DJJ. However, she said that DJJ has had more family interaction with the program we have set up than DJJ has

ever had if they were open for visitation. Ninety percent (90%) of those with video conferencing are speaking with their families at a minimum of four times per week, and in some cases more. Commissioner Harris said the facilities have increased their programming and are doing extra things for the youth during this time - pizza and chicken wings on the weekends. She said that DJJ is doing everything they can during this time to make life normal for the youth.

Steven Gold welcome the Commissioner and said he was very excited that plans were being made to duplicate the CYJS program. Mr. Gold said the Commissioner's charts indicated the commitment of youth of color has stayed so static and he wanted to know her thoughts on that issue. He believes the earlier a kid is kept out of the court system, the better. Are prevention efforts available to teachers, families, etc.? Do you think those efforts that will have an effect on racial disparity?

Commissioner Harris said it was about educating the people who were able to make referrals and letting them know that CYJS is for everyone. It is building a knowledge base on the social dynamics in the school system. We need to have some constructive conversation on race as we go forward in other facilities.

Dr. John Sively said that he noticed several positive things with the implementation of SB 200. There has been an increase of juveniles charged with misdemeanors. However, there have been some unintended consequences of SB 200, and now kids are being charged with charges that are more serious and their cases (especially the older kids) are being transferred to Circuit Court rather than juvenile system. With that said, he wanted to know if there was a way to determine if kids' actions had changed or is the serious charges a result of SB 200.

Dr. Sively would like that data.

Commissioner Harris said that she would have her staff look into that issue.

Senator Westerfield asked what the status was of those 23 youth serving outside of Jefferson County were for violations or some other charge.

Commissioner Harris said she did not have that information but would get that information.

Senator Westerfield asked Commissioner Harris to follow up on that those racial disparity issues. He said he appreciated Commissioner Harris's efforts on this issue.

Secretary Mary Noble said she was proud to serve on this committee and was happy to work with everyone on the committee.

Dr. Nolan began his presentation and gave 2019 KECSAC report. That report had been shared prior to the meeting.

Dr. Nolan noted that KECSAC operates in 51 school districts through 78 programs with more than 2,000 kids. Those are non-duplicated students 30% female and 70% male.

The variation is those 78 programs are addressed in the Power Point. These include group homes, mental facilities, residential and day treatment program. We have DJJ owned and operated facilities and district contracted programs, which operate within the school district.

Senator Westerfield asked if a clinical diagnosis had been made on students with educational disabilities. Dr. Nolan said yes and provided a PowerPoint on the age of the student and its percentage.

Dr. Nolan said that KECSAC provides services to children between the ages of five (5) and 21. The average age is 14 years old and the youngest was five and the oldest being 20. Dr. Nolan provided a breakout showing the percentage of each age, along with the program the youth is participating.

Senator Westerfield asked why there was a spike in the age of 19? Dr. Nolan said KECSAC has very few 19-year-olds. He noted that most age out of DCBS and DJJ. For that reason, Dr. Nolan said for those who stay, they have a higher rate of learning disabilities.

Dr. Nolan continued by noting that most kids who come into the system have significant education gaps, usually two or three years behind their peers. Dr. Nolan said that most of KECSAC students are in the 9th or 10th grade.

Senator Westerfield talked about kids coming into the KECSAC system at 9th or 10th grade. He wanted to know if there was any data, which shows that the disability arose or the issue manifested itself?

Dr. Nolan said that the identification of educational disabilities for most of KECSAC kids are identified at a very young age, prior to becoming a part of the KECSAC program. There is a long process by educators and health providers to determine these disabilities.

Dr. Nolan continued his presentation addressing the numerous changes, which were made to deal with COVID, best practices and on-line classes. July 6th stated a new school year for KECSAC.

Senator Westerfield said he appreciated Dr. Nolan's bold position on legislation, and on calling people out and why things hadn't been done in the past. Senator Westerfield said he believes people are beginning to come around and he is hopeful in the near future.

Senator Westerfield set the next meeting dates, which would be via Zoom.

He encouraged members to bring any issues before the board which they feel is important and needed to be addressed.

Senator Westefield adjourned the meeting.